

REMARKS

Claims 54-59, 65, 66, 69-83, 85-87, 94-113, 115-120, 123-128, 131-135, 138-149, 150-155, 158-164, 170-173, 176-189, 191 and 196-200 are presently pending in this application. Claims 1-53, 60-64, 67, 68, 84, 88-93, 114, 121, 122, 129, 130, 136, 137, 149, 156, 157, 165-169, 174, 175, 190 and 192-195 were previously cancelled. The undersigned representative would like to thank Examiner Koch for the teleconferences in May 2005 regarding the priority claim and the references that are related to the priority documents. As noted in one of the teleconferences, the priority claim set forth on page 1 of the Substitute Specification is correct.

The status of the application in light of the Office Action dated 2 June 2005 is as follows:

(A) Claims 69, 70, 98 and 99 stand rejected under 35 U.S.C. § 112.

(B) Claims 54-200 stand rejected under the doctrine of obviousness-type double patenting over U.S. Patent Nos. 5,168,866; 5,168,887; 5,235,995; and 5,431,421.

(C) Claims 54-200 stand provisionally rejected under 35 U.S.C. § 103(a) over each of U.S. Patent Nos. 5,235,995; 5,431,421; 5,168,886; or 5,168,887.

Although claims "54-200" have been rejected under Section 103 or the doctrine of obviousness-type double patenting, many of these claims were previously cancelled. As such, the following remarks regarding the Section 103 and double patenting rejections are directed to only the above-listed pending claims.

A. Response to Section 112 Rejections

Claims 68, 70, 98 and 99 were rejected under 35 U.S.C. § 112, first paragraph, on the grounds that neither the priority documents nor the current specification support the limitation of "250" rpm. These claims specifically recite a rotational speed of "50-250 rpm." Support for this limitation can be found at column 7, lines 60 and 61, of U.S. Patent No. 5,235,995, and also at page 11, lines 11 and 12, of the Substitute

Specification filed in the present application. The Section 112 rejection of claims 69, 70, 98 and 99 should accordingly be withdrawn.

B. Response to Non-Statutory Double Patenting Rejections

Claims 54-200 were rejected under the doctrine of obviousness-type double patenting over both (a) claims 1-32 of U.S. Patent No. 5,168,886 in view of the Ringer, Karl and Nagatomo, and (b) claims 1-12 of U.S. Patent No. 5,168,887 in view of Ringer, Karl and Nagatomo. These rejections are now moot because Terminal Disclaimers to U.S. Patent Nos. 5,168,866 and 5,168,887 were filed in the present application on 27 May, 2005.

Claims 54-200 were also rejected under the doctrine of obviousness-type double patenting as not being patentably distinct from (a) claims 1-32 of U.S. Patent No. 5,168,886; (b) claims 1-12 of U.S. Patent No. 5,168,887; (c) claims 1-30 of U.S. Patent No. 5,235,995; and (d) claims 1-44 of U.S. Patent No. 5,431,421. This rejection is also moot because of (1) the Terminal Disclaimers to U.S. Patent Nos. 5,168,886 and 5,168,887 filed on 27 May 2005, and (2) the Terminal Disclaimers to U.S. Patent Nos. 5,235,995 and 5,431,421 filed on 8 March 2005. Therefore, these double patenting rejections of the pending claims should also be withdrawn.

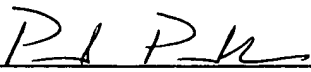
C. Response to Section 103 Rejections

Claims 54-200 were provisionally rejected under 35 U.S.C. § 103(a) over each of U.S. Patent Nos. 5,235,995; 5,431,421; 5,168,886; or 5,168,887. These rejections should be withdrawn because each of these references qualifies as prior art only under 35 U.S.C. § 102(e), and the subject matter of the claimed invention and each of the applied references were, at the time the claimed invention was made, either owned by or subject to an obligation of assignment to Semitool, Inc. Pursuant to 35 U.S.C. § 103(c), none of these references can be used in a rejection under Section 103(a). Moreover, please find enclosed with the present paper a Request to Change Inventorship that includes an assignment from the inventors to Semitool, Inc. The rejections under 35 U.S.C. § 103 should accordingly be withdrawn.

In view of the foregoing, the pending claims comply with 35 U.S.C. § 112 and are patentable over the cited art. The applicant accordingly requests reconsideration of the application and a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call Paul T. Parker at (206) 359-3258.

Respectfully submitted,
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